

## DECISION



THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D.C. 20548

40954

FILE: H-181255

DATE: July 17, 1974

MATTER OF: Cambridge Memories, Inc. D.3696

DIGEST: [Protest against method of application of evaluation criteria] for terminal value filed more than 5 days after basis of protest was known or should have been known, is untimely under section 20.2(a) of the Interim Bid Protest Procedures and Standards and will not be considered on its merits.

On January 31, 1974, Cambridge Memories, Inc. (Cambridge), submitted its proposal to the Defense Supply Agency pursuant to request for proposals (RFP) No. DSAH00-74-R-0025, for main core memory, in the amount of \$221,469.17. ITEL Corporation submitted the low offer of \$155,280.84. Award was made to ITEL on April 24, 1974. At a May 3, 1974, debriefing, Cambridge learned that the terminal value applied to the ITEL Corporation proposal was based upon the going market value rather than the Federal supply schedule price. Cambridge protested the award by telegram of May 15, 1974. 107 D.3122

The Cambridge telegram protests that the application of the evaluation criteria for terminal value based upon market value resulted in an unrealistically inflated amount for the ITEL Corporation terminal value.

The General Accounting Office Interim Bid Protest Procedures and Standards (41 CFR 20) establish time limits for receipt of protests by our Office. In pertinent part, section 20.2(a) provides:

"\* \* \* bid protests shall be filed not later than 5 days after the basis for protest is known or should have been known, whichever is earlier \* \* \*."

Since the basis of Cambridge's protest was known, or should have been known, from the May 3, 1974, debriefing, the protest filed on May 15 is untimely and will not be considered on its merits.

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*R. F. Kistner*  
Deputy Comptroller General  
of the United States